

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 21, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Ken Toole, Commissioner

Commissioner Raney was absent but left his proxy with Commissioner Jergeson.

APPEARANCE
Scott Fabel, Utility Division

(372) In the matter of N2008.10.120: On October 6, 2008 Citizens filed Advice Letter No. MT-08-06.

Commissioner Toole moved to APPROVE Citizens Advice Letter No. MT-08-06 in Docket N2008.10.120. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(373) In the matter of TN2416: UG, Inc. dba Capital Taxi, Helena, Montana, PSC No. 2111, requests termination of their fuel surcharge due to falling fuel prices.

Commissioner Toole moved to TERMINATE fuel surcharge as requested. Commissioner Mood seconded the motion, which passed unanimously.

(374) In the matter of the approval of Commission Minutes for the week of October 13, 2008:

Commissioner Mood moved to APPROVE the Commission Minutes for the week of October 13, 2008. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Gary Duncan, Utility Division

(375) In the matter of the Commission's discussion of D2008.7.89: Interconnection Agreement between Nemont Telephone Cooperative, Inc., and Alltel Communications, LLC.

Commissioner Toole moved to APPROVE the interconnection Agreement between Nemont Telephone Cooperative, Inc., and Alltel Communications, LLC. In Docket No. D2008.7.89. Commissioner Molnar seconded the motion, which passed unanimously.

(376) In the matter of the Commission's discussion of D2008.7.87: Interconnection Agreement between Project Telephone Company, Inc. and Alltel Communications, LLC.

Commissioner Mood moved to APPROVE the Interconnection Agreement between Project Telephone Company, Inc., and Alltel Communications, LLC. in Docket D2008.7.87. Commissioner Toole seconded the motion, which passed unanimously.

(377) In the matter of the Commission's discussion of D2008.8.92: Interconnection Agreement between Southern Montana Telephone Company, Inc., and Gold Creek Cellular of Montana Limited Partnership dba Verizon Wireless.

Commissioner Toole moved to APPROVE the Interconnection Agreement between Southern Montana Telephone Company, Inc., and Gold Creek Cellular of Montana Limited Partnership d/b/a Verizon Wireless in Docket No. D2008.8.92. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Leroy Beeby, Utility Division

(378) In the matter of the Commission's discussion of D2007.11.130: Application to implement a gas cost tracking mechanism in its Cut Bank, Montana service area/Suspend procedural order.

Commissioner Toole moved to APPROVE the suspension of the July 22, 2008 procedural order in Docket D2007.11.130. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(379) In the matter of the Commission's discussion of D2006.7.108: Westech Energy Corporation. Application to establish initial rates and charges for natural gas transportation service/protective order.

Commissioner Mood moved to APPROVE the Motion for Protective Order for alleged confidential information (reservoir and reserve studies report prepared by Ryder Scott Company pertaining to non-Montana wells) requested in response to data requests by Sonalta Resources. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Lori Sandru, Consumer Division

(380) In the matter of the Commission's discussion of N2008.8.101: Medical Emergency Rule application/payment arrangements.

Commissioner Toole moved to APPROVE staff's recommendation for additional information from the customer by October 26, 2008. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Tina Shorten, Consumer Division

(381) In the matter of the Commission's discussion of N2008.9.122: Medical Emergency Rule.

Commissioner Mood moved to APPROVE the initial payment of \$400.00 to be due on November 5, 2008, and thereafter move to the budget billing amount. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(382) In the matter of request to provide public information.

MOTION #1: Commissioner Toole moved to assign staff to create a privacy log and based on the understanding of privacy interest and then the full commission will identify emails that are controversial or in the alternative have legal staff create the privacy log to present at the next session. This motion was not seconded, there was no vote.

MOTION #2: Commissioner Molnar moved to have staff contact DOA or other appropriate unbiased agency to assign a hearings officer or arbitrator to make independent recommendation regarding the privacy issue. Commissioner Mood seconded the motion. No vote was taken.

MOTION #3: Commissioner Toole moved (supplemental motion) to assign staff, or the ACT team, to identify emails regarding privacy issues, create a privacy log, and present their findings at the next session. Commissioner Jergeson seconded the motion, which passed 3-2. Commissioners Mood and Molnar voted No.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGESON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)